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Comments sent via email to 7DReview@usbr.gov

Mr. Malcolm Wilson
US Bureau of Reclamation
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Salt Lake City, UT 84138-1102

Ms. Carly Jerla
US Bureau of Reclamation
1777 Exposition Dr. Suite 113
421 UCB
Boulder, CO 80301-2628

Re: Scoping of 7.D Review of 2007 Interim Guidelines

Dear Mr. Wilson and Ms. Jerla:

Thank you for the opportunity to submit scoping comments on Reclamation's review of the Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead ("2007 Guidelines" or "Guidelines") pursuant to Section IX.G.7.D of the 2007 Guidelines ("7.D Review").

The 7.D Review is a formal review process to evaluate the effectiveness of the 2007 Guidelines.¹ It will also document the operational experience with the 2007 Guidelines.² The 7.D Review process is intended as "an objective look at where we've been and where we are with our [Colorado River] operational rules."³ Effectiveness will be

¹ 2007 Guidelines, Section IX.G.7.D.

² Review of Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations of Lake Mead and Lake Powell, Kickoff Webinar, March 24 and 31, 2020 (Kickoff Webinar), Slide 13.

³ Secretary of Interior David Bernhardt remarks, Colorado River Water Users Association, Dec. 2019, as quoted in Kickoff Webinar, Slide 10.

evaluated by considering the adherence to the three stated purposes of the 2007 Guidelines and the common themes identified by the US Bureau of Reclamation ("Reclamation").⁴

The common themes of the 2007 Guidelines include:

- encourage conservation
- plan for shortages
- implement closer coordination of operations of Lake Powell and Lake Mead
- preserve flexibility to deal with further challenges such as climate change and deepening drought⁵

One of the purposes of the 2007 Guidelines is:

improve Reclamation's management of the Colorado River by considering trade-offs between the frequency and magnitude of reductions of water deliveries, and considering the effects on water storage in Lake Powell and Lake Mead, and on water supply, power production, recreation, and other environmental resources (emphasis added).⁶

The Scope of the 7.D Review Must Include Effects on Environmental Resources

In order to evaluate the effectiveness of the 2007 Guidelines through the lens of adherence to the stated purposes, Reclamation must consider how its management of the Colorado River pursuant to those Guidelines affected environmental resources. The environmental resources that must be considered in the impacts analysis include "the values for which Grand Canyon National Park and Glen Canyon National Recreation Area were established, including, but not limited to natural and cultural resources and visitor use."⁷ In addition, the effect of operations on biological resources such as riparian vegetation⁸ and wildlife including fish and special status species⁹ must be considered. The effects of operations on temperature, dissolved oxygen, and nutrients, all part of the "affected environment," also have the potential to affect vegetation and wildlife.¹⁰

The rules of water delivery from Lake Powell to Lake Mead pursuant to the 2007 Guidelines have had unmistakable river resource impacts on the 295 miles between Glen Canyon Dam and the head of Lake Mead because more than 90% of the water that flows through the Grand Canyon is released from Lake Powell. Although the potential

⁴ Kickoff Webinar, Slide 13.

⁵ Record of Decision, 2007 Guidelines (ROD), at 1-2; Kickoff Webinar, Slide 6.

⁶ ROD at 7; Kickoff Webinar, Slide 7.

⁷ Grand Canyon Protection Act of 1992, P.L. 102-575, Sec. 1802(a).

⁸ 2007 Guidelines, Final EIS, Ch. 3, Affected Environment, Sec. 3.8.1.

⁹ Final EIS, Ch. 3, Sec. 3.8.2 and 3.8.3.

¹⁰ Final EIS, Ch. 3, Sec. 3.5; Ch. 4, Sec. 4.5. and 4.8.3.

for these impacts was recognized in the EIS for the 2007 Guidelines, subsequent analysis and monitoring demonstrates that some significant impacts were inadequately evaluated at that time. These unevaluated impacts include:

- The effect of equalization releases on sand resources in Grand Canyon;
- Requirements that affect reservoir elevation of Lake Mead and control the emergence of Pearce Ferry Rapid (a major blockage to upstream migration of undesirable nonnative reservoir fish into Grand Canyon);
- The temperature of releases from Lake Powell that have a strong impact on the aquatic ecosystem in Grand Canyon; and
- The elevation of Lake Powell that affects the emergence of Paiute Falls in the San Juan arm and the mobilization of sediment and nutrients now stored in the deltas of the reservoir.

These impacts were not evaluated in the Glen Canyon Dam Long Term Experimental and Management Plan EIS completed in 2016, as that analysis assumed that water would continue to be delivered consistently with the Law of the River, including specifically the 2007 Guidelines.¹¹

The Scope of the 7.D Review Must Include a Comparison of Assumptions of Each State's Water Demand with Actual Experience

The modeling used to inform the analysis in the Environmental Impact Statement and the resulting actions codified in the Record of Decision was based on demand and depletion projections submitted by the basin states.¹² In order to evaluate the effectiveness of the guidelines in achieving the goal of improving management of the River by considering tradeoffs between frequency and magnitude of water use reductions and providing managers with "a greater degree of predictability" regarding future water supplies,¹³ Reclamation must undertake a comparison between the states' water use demand and depletion projections upon which the modeling for the 2007 Guidelines was based and actual water use in the ensuing years. This will be essential to evaluating the Guidelines' success in adhering to the common themes of coordinated operation of Lake Mead and Lake Powell, the efficacy of water conservation measures enabled under the Guidelines, and in planning for water shortages.

Recognizing that these analyses will require time together with scientific expertise, we point out that the evaluation of the effectiveness of the Guidelines, including the improvement of management of the River and the impacts on environmental resources, is required by the ROD. The completion target of December 31, 2020 is not.

¹¹ Record of Decision for the Glen Canyon Dam Long Term Experimental and Management Plan Final Environmental Impact Statement, December 2016, at 1.

¹² Final EIS, Ch. 4, Section 4.2.3.

¹³ ROD at 7.

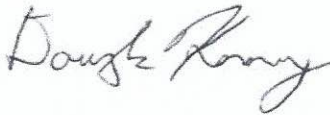
Sincerely,



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